

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KINGVISION PAY-PER-VIEW, LTD.,  
as Broadcast Licensee of the May 14, 2005  
Wright/Trinidad Program,

Plaintiff,

v.

ORDER

06-CV-2518 (NGG) (JMA)

JOSE B. HERUQUDEZ a/k/a JOSE B.  
HERNANDEZ, Individually and as officer,  
director, shareholder and/or principal of MI  
PATRIA SUPERMARKET, INC. d/b/a MI  
PATRIA MARKET and MI PATRIA  
SUPERMARKET, INC. d/b/a MI PATRIA  
MARKET

Defendant.

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GARAUFIS, United States District Judge.

On November 21, 2006, Magistrate Judge Joan M. Azrack issued a Report and Recommendation (R&R) recommending: (1) default judgment be entered against the Defendant; and (2) Plaintiff be awarded \$1,000 in statutory damages pursuant to 47 U.S.C. §§ 553(a)(1) and 605(a), \$5,000 in enhanced damages, \$811.50 in attorneys fees, and \$550 in litigation expenses. No party has filed objections to the R&R.

In reviewing an R&R, this court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge’s R&R where no timely objection has been made, the “court need only satisfy itself that there is no clear error on the face of the record.” Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189

(S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is “not facially erroneous”).

The R&R is comprehensive and extremely well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiff’s motion for entry of default judgment, damages, attorneys fees, and litigation expenses is hereby GRANTED. The clerk of the court is directed to close this case.

SO ORDERED.

Dated: May 11, 2007  
Brooklyn, N.Y.

/s/ Nicholas G. Garaufis  
Nicholas G. Garaufis  
United States District Judge